
HOUSE BILL 2732

State of Washington

59th Legislature

2006 Regular Session

By Representatives O'Brien, Santos, Ericks, Green, Roberts, Ormsby
and Moeller

Read first time 01/12/2006. Referred to Committee on Criminal
Justice & Corrections.

1 AN ACT Relating to establishing a council on mentally ill
2 offenders; adding new sections to chapter 72.09 RCW; making an
3 appropriation; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.09 RCW
6 to read as follows:

7 (1) The council on mentally ill offenders is hereby established
8 within the department of corrections. The council shall be composed of
9 thirteen members, one of whom shall be the secretary of the department
10 of corrections or his or her designee, who shall be designated as a
11 cochairperson. If the secretary chooses to be represented by a
12 designee, the designee shall be the assistant secretary of the
13 department of corrections or a person of equivalent position. One
14 member shall be the director of the health and recovery services
15 administration or his or her designee, and eleven members shall be
16 appointed as follows:

17 (a) The governor shall appoint five members, one representing
18 community mental health interests. A representative of the jail
19 commander's association, one current or former superior court judge,

1 one current or former court of limited jurisdiction judge, and one
2 other member with interest or expertise related to the treatment of
3 mentally ill offenders.

4 (b) The president of the senate shall appoint three members, one
5 representing law enforcement and one representing community mental
6 health interests, and one other member with interest or expertise
7 related to the treatment of mentally ill offenders.

8 (c) The speaker of the house shall appoint three members, one
9 representing law enforcement and one representing community mental
10 health interests, and one other member with interest or expertise
11 related to the treatment of mentally ill offenders.

12 (2) The council shall select a cochairperson from among its
13 members. Seven members of the council shall constitute a quorum.

14 (3) The director of the health recovery services administration
15 shall serve as the liaison with the department of social and health
16 services and any other departments within that agency necessary to
17 further the purposes of this section.

18 (4) Members of the council shall receive no compensation, but shall
19 be reimbursed for actual and necessary travel expenses and training
20 expenses incurred in the performance of their duties. For purposes of
21 compensation, attendance at meetings of the board and training shall be
22 deemed performance by a member of the duties of his or her state or
23 local government employment. The county or local municipality of the
24 judge or judges that participate in meetings shall be reimbursed in an
25 amount equal to the amount paid to a pro tem judge that substitutes in
26 court for the duly elected or appointed judge. The payment for the pro
27 tem judge shall be in addition to the other actual expenses incurred by
28 the judge in order to attend the meetings of the council including
29 travel and lodging expenses.

30 (5) The goal of the council is to investigate and promote cost-
31 effective approaches to meeting the long-term needs of adults and
32 juveniles with mental disorders who are likely to become offenders or
33 who have a history of offending. The council shall:

34 (a) Identify strategies for preventing adults and juveniles with
35 mental health needs from becoming offenders;

36 (b) Identify strategies for improving the cost-effectiveness of
37 services for adults and juveniles with mental health needs who have a
38 history of offending; and

1 (c) Identify incentives to encourage state and local criminal
2 justice, juvenile justice, and mental health programs to adopt cost-
3 effective approaches for serving adults and juveniles with mental
4 health needs who are likely to offend or who have a history of
5 offending.

6 (6) The council shall consider strategies that:

7 (a) Improve service coordination among state and local mental
8 health, criminal justice, and juvenile justice programs;

9 (b) Improve the ability of adult and juvenile offenders with mental
10 health needs to transition successfully between corrections-based,
11 juvenile justice-based, and community-based treatment programs;

12 (c) Improve access to prescription medications, medicare and
13 medicaid benefits, and community-based treatment programs; and

14 (d) Will create an electronic medical records program that will
15 permit all levels of corrections to share information concerning the
16 health care, treatment, and medications used by any offender
17 incarcerated in the state of Washington.

18 (7) The secretary of the department of corrections and the director
19 of mental health shall furnish for the use of the council facilities,
20 supplies, and personnel. The council may secure the assistance of any
21 state agency, department, or instrumentality in the course of its work,
22 including the advice and assistance of the attorney general and the
23 joint legislative audit and review committee.

24 (8)(a) The council on mentally ill offenders shall file with the
25 legislature, not later than December 31st of each year, except in 2006,
26 a report that provides details of the council's activities during the
27 preceding year. The report shall include recommendations for improving
28 the cost-effectiveness of mental health and criminal justice programs.

29 (b) After the first year of operation, the council may recommend to
30 the legislature and governor modifications to its jurisdiction,
31 composition, and membership that will further the purposes of this
32 section.

33 (9) The council on mentally ill offenders is authorized to apply
34 for any funds that may be available from the federal government or
35 other sources to further the purposes of this section.

36 (10)(a) For purposes of this section, the council shall address the
37 needs of adults and juveniles who meet the following criteria: Persons

1 who have been arrested, detained, incarcerated, or are at a significant
2 risk of being arrested, detained, or incarcerated, and who have a
3 mental disorder.

4 (b) The council may expand its purview to allow it to identify
5 strategies that are preventive in nature and could be directed to
6 identifiable categories of adults and juveniles that fall outside of
7 the criteria listed in (a) of this subsection.

8 (11) This section expires January 1, 2011.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09 RCW
10 to read as follows:

11 The department of corrections shall submit a biennium budget
12 request in an amount of not less than two hundred thousand dollars in
13 2007 and each biennium budget request thereafter that the council on
14 mentally ill offenders is operating and reporting as required to
15 support the activities and work of the council.

16 NEW SECTION. **Sec. 3.** The sum of one hundred thousand dollars, or
17 as much thereof as may be necessary, is appropriated for the biennium
18 ending June 30, 2007, from the general fund to the department of
19 corrections for the purposes of funding the council on mentally ill
20 offenders for the purposes of this act.

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